

C9/1

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0019
5306 Samuel Huston

P.C. DATE: June 23, 2015, May 26, 2015,
May 12, 2015

ADDRESS: 5306 Samuel Huston Avenue

DISTRICT: 1

AREA: 2.93 Acres

OWNER: Polis Properties, LLC (Chris Peterson)

AGENT: Civilitude, LLC (Candace Craig)

FROM: SF-3-NP

TO: SF-6-NP

NEIGHBORHOOD PLAN AREA: East MLK Combined

TIA: N/A

WATERSHED: Fort Branch

SCENIC ROADWAY: No

CAPITOL VIEW CORRIDOR: No

DESIRED DEVELOPMENT ZONE: Yes

SUMMARY STAFF RECOMMENDATION:

Staff supports the rezoning request of Townhouse and Condominium Residence, with the added conditional overlay limiting vehicular trips to less than 300 vehicles per day (SF-6-CO-NP). The Applicant supports this conditional overlay.

PLANNING COMMISSION RECOMMENDATION:

June 23, 2015:

June 9, 2015: *Not on Agenda – Notification/Posting error*

May 26, 2015: *TO POSTPONE TO JUNE 9, 2015, AT APPLICANT'S REQUEST. (5-0) [S. OLIVER - 1ST, J. NORTEY - 2ND; J. SHIEH – OFF THE DAIS; R. HATFIELD, A. HERNANDEZ - ABSENT]*

May 12, 2015: *TO POSTPONE TO MAY 26, 2015, AT DIRECTION OF COMMISSION. (5-0) [R. HATFIELD - 1ST, J. NORTEY - 2ND; B. ROARK- ABSENT]*

ISSUES:

The subject property is a flag lot with 50 feet of frontage on a residential collector street. The lot configuration greatly constrains any development that would require resubdivision, which includes most scenarios below SF-5 zoning. The residential collector street, Samuel Huston Avenue, serves a neighborhood that is entirely SF-3-NP, and several neighbors are concerned about existing traffic and safety issues.

Planning Commission granted a postponement from May 12, 2015, to May 26, 2015, to allow the Applicant and Neighborhood additional time to meet and discuss the rezoning request.

DEPARTMENT COMMENTS:

The subject property is located between Webberville Road and Tannehill Lane, on the north side of Samuel Huston Avenue, and is zoned SF-3-NP. The property is a flag lot and only has access to Samuel Huston Avenue. Lots on the east and west side of the flag portion of the lot are zoned SF-3-NP and are developed with single family residences. To the South, across Samuel Huston, the flag is aligned with an intersection with Bunche Road, a local residential street. Adjacent lots are all zoned SF-3-NP, and are used for religious assembly and residential.

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2

The main portion of the property is north of the abovementioned residential neighborhood, and is immediately adjacent to residential lots. To the east of the rezoning tract is an SF-3-NP zoned lot that appears to contain a demolished residence. To the north is a large tract of land that is zoned SF-3-NP; a church is located on the northern portion of the tract. West of the subject property are several lots zoned MF-3-NP. These lots are developed with residences. All properties that are used or zoned SF-4 or more restrictive will trigger compatibility standards, resulting significant setbacks and other limitations on the subject property. Please refer to *Exhibits A and B (Zoning Map and Aerial View)*.

The Applicant proposes construct a 21 unit detached condominium development. There is significant concern from the neighborhood to the south regarding the proposed rezoning due to existing and anticipated traffic issues. Neighborhood representatives have submitted a Valid Petition request regarding the rezoning request; the request totals 7.895% of signatures at this time, and does not currently meet Valid Petition requirements. Please refer to *Exhibit C (Valid Petition Request)*. Other correspondence from interested parties regarding the rezoning request is attached in *Exhibit D (Correspondence)*.

STAFF RECOMMENDATION:

Staff supports the rezoning request, with the added conditional overlay limiting vehicular trips to less than 300 vehicles per day (SF-6-CO-NP). The conditional overlay and compatibility standards will both affect the maximum development on the property.

1. Zoning should allow for reasonable use of the property.

The subject property is a flag lot with 50 feet of frontage on a residential collector street. The lot configuration greatly constrains any development that would require resubdivision, which includes most scenarios below SF-5 zoning. SF-3-NP zoning does not allow the property to be used to a reasonable level.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Vacant
<i>North</i>	SF-3-NP	Religious assembly
<i>South</i>	SF-3-NP	Residential, Religious assembly
<i>East</i>	SF-3-NP	Vacant/Residential
<i>West</i>	MF-3-NP	Residential

RELATED ZONING CASES:

Properties in this area were zoned in conjunction with the MLK / 183 Neighborhood Plan, which later became part of the East MLK Combined Neighborhood Plan. The zoning was filed under City File # C14-02-0142.002, and was approved by City Council November 18, 2002 (Ord.# 021107-Z-12b). No changes were made to base zoning districts and no additional conditions were added to any of the properties in the vicinity of the subject tract—the only change was to add the -NP designation.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Samuel Huston Ave.	50'	30'	Collector	Yes, south side only	Route No. 344	No

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3

NEIGHBORHOOD ORGANIZATIONS:

Del Valle Community Coalition
Truman Heights Neighborhood Association
East MLK Combined Neighborhood Contact Team
Austin Heritage Tree Foundation
Real Estate Council of Austin
M.E.T.S.A. Neighborhood Association
East MLK Combined Neighborhood Association
Sierra Club, Austin Regional Group

East Austin Conservancy
Stonegate Neighborhood Association
Lincoln Garden Association
Austin Neighborhoods Council The
Preservation Austin
Friends of the Emma Barrientos MACC
FRS Property Owners Association
SELTexas

CITY COUNCIL DATE/ACTION:

August 13, 2015:

June 11, 2015: *Postponed to August 13, 2015, as requested by Staff, approved on consent (A. Kitchen- 1st; S. Renteria- 2nd (11-0)*

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

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/u**ADDITIONAL STAFF COMMENTS:****SITE PLAN**

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP4. The site is subject to compatibility standards the following standards apply:

- No structure may be built within 15 feet of the side and rear property line and 25 feet for the front property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

SP5. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

COMPREHENSIVE PLANNING

This zoning case is located on the north side of Samuel Houston Road on a vacant 2.93 acres parcel, which is also a flag lot. The subject property is located within the boundaries of the **East MLK Combined Neighborhood Planning Area**, in the MLK-183 Neighborhood Planning Area in the Fort Branch section.

The East MLK Neighborhood Plan (EMNP)

The EMNP Future Land Use Map (FLUM) designates this portion of the planning area as 'Mixed Residential.' Zone SF-6 is permitted under the Mixed Residential FLUM category. The Mixed Residential Land Use Category supports a variety of different housing types in one area, including single-family residential, townhouses, duplexes, and apartments. Single-family residential should comprise approximately half of a mixed residential area. The Mixed Use Land Use Category is defined as an area appropriate for a mix of residential and non-residential uses.

Planning Policies:

Goal One - Preserve established residential areas and **improve opportunities for home ownership** by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood. (p 44)

Objective 1.1: Maintain single-family zoning in established residential areas.

Objective 1.2: Promote new infill housing in appropriate locations.

Goal Five - Provide housing that helps maintain the social and economic diversity of residents. (p 45)

Objective 5.1: Allow a mix of residential types on larger tracts having access to major roadways.

C9/5

Fort Branch Text (p 69)

Existing Conditions: The Fort Branch neighborhood consists of two fairly distinct residential areas separated by the Fort Branch Creek. Flooding from the creek and the area's steep topography has limited development. Some of the homes at the southern end of Fort Branch Boulevard experience severe flooding problems, even during 2-year storm events. **Substandard housing and vacant lots have been a problem in the area, but several affordable housing developers have undertaken significant infill development.** Some commercial uses are scattered throughout the neighborhood, mostly on Webberville Road, but overall local commercial services are limited.

Recommendations: The greatest need in the Fort Branch area is continued development of quality residential infill. Some larger tracts on Webberville, Tannehill Lane, and Jackie Robinson Street could be developed with mixed residential, while new single-family homes are appropriate on the smaller vacant lots. Planned channel improvements to Fort Branch Creek should improve the safety and desirability of many vacant lots. Neighborhood-oriented commercial development should be encouraged in small, existing nodes on Webberville. Consideration should also be given to preserving flood plain lands south of Springdale Park as a natural greenbelt. While this project does not include a mix of housing types, including single family housing, the development would provide an opportunity for home ownership and infill housing via condominium ownership and therefore this request seems to be supported by the MLK Plan.

Imagine Austin

The comparative scale of the site relative to other residential uses, as well as the site not being located along an Activity Corridor or within an Activity Center as identified on the Imagine Austin Growth Concept Map falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning. However, the developer of this proposed condominium project could design this complex so that it is connected to the adjoining residential neighborhood and be an asset to both the city and support Imagine Austin by including the following features and options to this project that would support Imagine Austin: (1) add street trees to provide shade and beauty; and (2) vary the density and height of the project so the massing does not overwhelm the abutting single family neighborhood and is harmonious with the area.

TRANSPORTATION

TR1: No additional right-of-way is needed at this time. Additional right-of-way for Samuel Huston Ave. may be required during the subdivision or site plan development stage.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]. A Neighborhood Traffic Analysis may be required for this case unless the development is limited through a conditional overlay to less than 300 trips per day.

TR3. Samuel Huston Ave. is classified in the Bicycle Plan as Bike Route No. 344.

TR4. Capital Metro bus service is not available along Samuel Huston Ave.

TR5. There are existing sidewalks along the north side of Samuel Huston Ave.

TR6. The Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

TR7. Existing Street Characteristics:

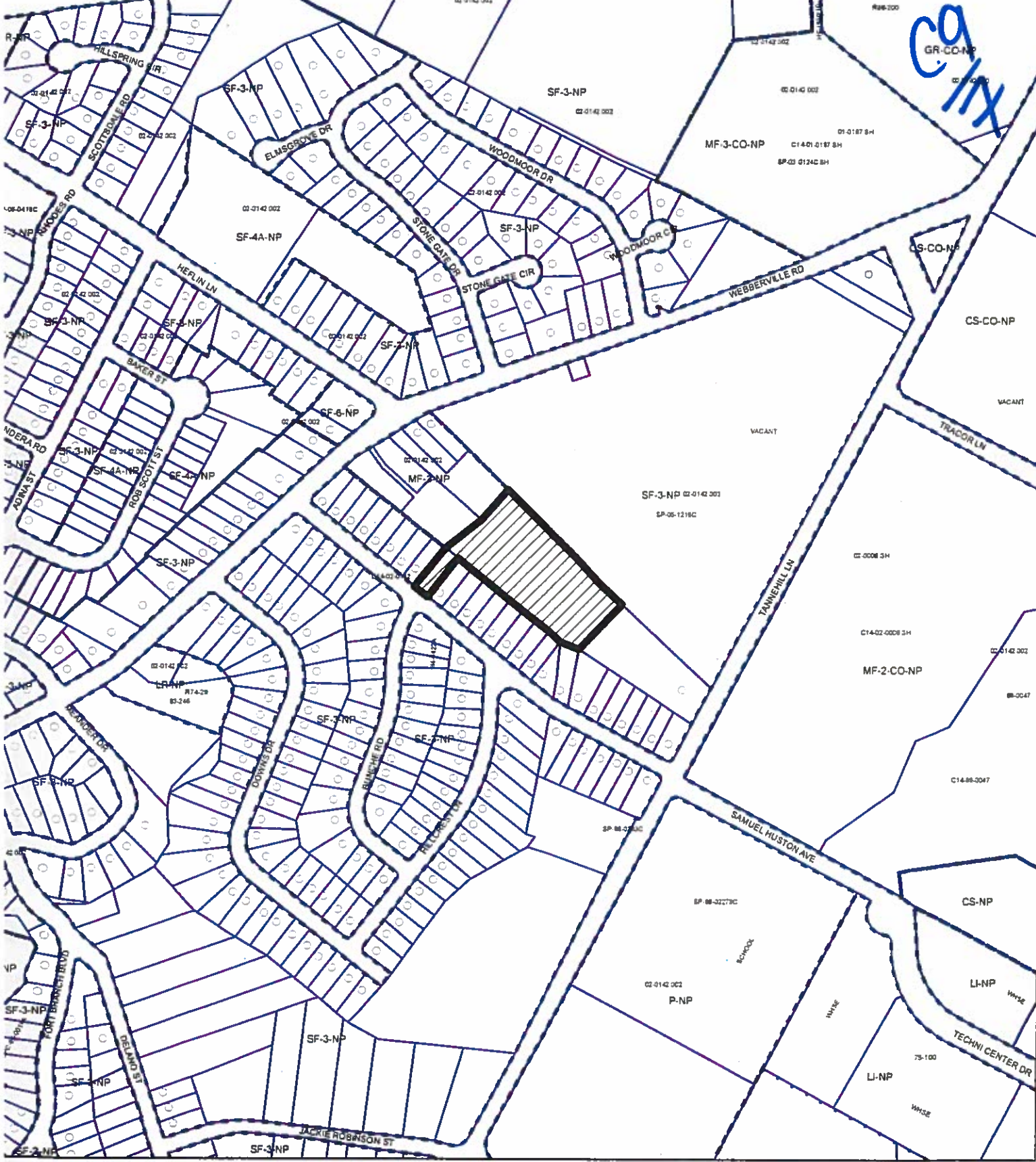
Name	ROW	Pavement	Classification	ADT
Samuel Huston Ave.	50'	30'	Collector	9,660





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1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

WATER UTILITY

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.




 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2015-0019

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





6/16

Case Number:
C14-2015-0019

PETITION

Date: 3/3/2015
Total Square Footage of Buffer: 470883.2303
Percentage of Square Footage Owned by Petitioners Within Buffer: 7.89%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0211220246	5504 SAMUEL HUSTON AVE 78721	ADAMS IRWIN G	no	10728.35	0.00%
0211220601	1733 HILLCREST LN 78721	ARNOLD ELIAH JR & DORIS J	no	4217.71	0.00%
0211220225	5406 SAMUEL HUSTON AVE 78721	BEAVERS LATHA A JR & TYSHAWN D STALLION	no	9027.03	0.00%
0211220222	5412 SAMUEL HUSTON AVE 78721	BENITEZ EVELIA	no	8931.45	0.00%
0211220253	5508 SAMUEL HUSTON AVE 78721	BRYANT FLORINDA L	no	6671.35	0.00%
0211220401	1732 HILLCREST LN 78721	BURKS CHESTER	no	6477.33	0.00%
0211220228	5400 SAMUEL HUSTON AVE 78721	CASH HOUSE BUYERS USA LLC	no	9330.67	0.00%
0211220221	5500 SAMUEL HUSTON AVE 78721	CLEMONS ROBERT LEE	no	8356.36	0.00%
0211220220	5502 SAMUEL HUSTON AVE 78721	CLEMONS VELMA REA	yes	9060.67	1.92%
0211220254	5506 SAMUEL HUSTON AVE 78721	FREEBIRD PROPERTIES LLC	no	14049.84	0.00%
0211220224	5408 SAMUEL HUSTON AVE 78721	GHANBAR SAMAN	yes	9036.63	1.92%
0211220231	5302 SAMUEL HUSTON AVE 78721	GUTIERREZ HILDA	no	8905.86	0.00%
0211220223	5410 SAMUEL HUSTON AVE 78721	HAEFNER NATHANIEL	yes	9003.38	1.91%
0211220238	1813 WEBBERVILLE RD 78721	HEMMASI MAJID	no	22953.33	0.00%
0211220425	5401 SAMUEL HUSTON AVE 78721	HENRY OTIS	no	14122.34	0.00%
0211220240	1817 WEBBERVILLE RD 78721	HERNANDEZ ALEANDRO	no	1330.54	0.00%
0211220305	5209 SAMUEL HUSTON AVE 78721	JOHNSON MARTHA LEE	no	2099.81	0.00%
0211220230	5304 SAMUEL HUSTON AVE 78721	JOHNSON OLA MAE DRITTE & ROBER ROBERT J R JOHNSON	no	8923.61	0.00%
0211220226	5404 SAMUEL HUSTON AVE 78721	LOUGHRY LINDSEY	no	8987.91	0.00%
0211220306	5301 SAMUEL HUSTON AVE 78721	MARTINEZ RAFAEL	no	7296.51	0.00%
0211220247	4108 TANNERHILL LN 78721	MARTINEZ SOCORRO JOEL & IDALIA	no	34609.11	0.00%
0211220423	1727 BUNCHE RD 78721	MCCORD HEATHER & HOLLY	yes	2515.70	0.53%
0211220424	1729 BUNCHE RD 78721	MINDLIN ROBERT	yes	7556.40	1.60%
0211220233	5208 SAMUEL HUSTON AVE 78721	MOZO BUILDERS LLC	no	7393.49	0.00%
0211220232	5300 SAMUEL HUSTON AVE 78721	NELSON AARON D	no	8987.55	0.00%
0211220252	5600 SAMUEL HUSTON AVE 78721	O'GRAZY SHELLEY	no	3017.31	0.00%
0212230204	1907 WEBBERVILLE RD 78721	PROTESTANT EPISCOPAL CHURCH CO COUNCIL OF THE DIOCESE OF TX	no	161014.63	0.00%
0211220348	5303 SAMUEL HUSTON AVE 78721	REHOBOTH PRIMITIVE BAPTIST CHURCH	no	24296.75	0.00%
0211220239	1815 WEBBERVILLE RD AUSTIN 78721	TREJO GREG SR	no	1172.15	0.00%
0211220255	1807 WEBBERVILLE RD 78721	VAN PRAAG NANCY	no	1224.96	0.00%
0211220257	1811 WEBBERVILLE RD 78721	VAN PRAAG NANCY	no	409.99	0.00%
0211220256	1809 WEBBERVILLE RD 78721	VAN PRAAG NANCY	no	26579.16	0.00%
0211220227	5402 SAMUEL HUSTON AVE 78721	WILLIAMSON MARGARET ANN	no	9002.30	0.00%
Total				467290.19	7.89%

Samuel Huston

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10

P E T I T I O N

Date: 2.25.15

File Number: 2015-018699 ZC

Case number: C14-2015-0019

Address of

Rezoning Request: 5306 Samuel Huston

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than single family homes

Samuel Huston : the Surrounding Truman Heights Subdivision
 Cannot handle the traffic of a 21 unit Condo complex
 (PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	Heather McCord	1727 Bunche Rd
	Tyson Heder	1725 BUNCHE RD
	Binitah Brantshaw	1721 Bunche Rd
	Louis Moore	1719 Bunche Rd
	Wallace D'Ag	1711 Bunche rd
	Matthew Kisch	1713 Bunche Rd
	Jessica Devine	1713 Bunche Rd
	Sandra Flyder	1709 Bunche Rd
	Dgn C Hollen	1723 Hillcrest Lane
	R. Denise Pierce	1708 Bunche Rd
	T. Vasquez	1710 Bunche Rd
	Carlissa Dillard	1718 Bunche Rd
	Haden Brock	1726 Bunche Rd.
	Chris Sumner	1722 Bunche Rd.
	Robert Mudd	1729 Bunche Rd
	RAE LYNN HENRY	5401 SAMUEL HUSTON
	Alkeisha Black	5401 Samuel Huston
	Lami Burton	5401 Sam Huston
	WILLIAM DAVIES	5302 Sam Huston
	Julia Continho	5228 Sam. Huston Apt A
	Daniel Robles	5206 Sam Huston Ave

Date: 2.25.15

Contact Name: Heather McCord
 Phone Number: 512.484.4465

C9
11

P E T I T I O N

Date: 2.25.15

File Number: C14-2015-0019

Address of
Rezoning Request: 5306 Samuel Houston

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SINGLE-FAMILY HOMES

Samuel Houston: the surrounding Trueman Heights Subdivision
(STATE REASONS FOR YOUR PROTEST)

cannot handle the traffic of a 21 unit condo complex
(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<u>[Signature]</u>	<u>Elise Medina</u>	<u>5204 Samuel Houston Hwy</u>
<u>[Signature]</u>	<u>Veronica Arnold</u>	<u>5205 Samuel Houston</u>
<u>THOMPSON GREGG</u>	<u>Gregg Thompson</u>	<u>5304 Samuel Houston</u>
<u>SAM Ghanbar</u>	<u>Sam Ghanbar</u>	<u>5406 Samuel Houston Ave</u>
<u>[Signature]</u>	<u>NATHANIEL HARRIS</u>	<u>5410 SAMUEL HUSTON AVE.</u>
<u>[Signature]</u>	<u>Velma Clements</u>	<u>5507 Samuel Houston</u>
<u>[Signature]</u>	<u>Tabatana Clark</u>	<u>5504 Samuel Houston</u>
<u>[Signature]</u>	<u>JACK GRADY</u>	<u>5600 Samuel Houston Ave</u>
<u>[Signature]</u>	<u>CHARLES Miller</u>	<u>5602 Samuel Houston Ave</u>
<u>[Signature]</u>	<u>Tami Gathers</u>	<u>5604 Samuel Houston Ave</u>
<u>[Signature]</u>	<u>Alison Headley</u>	<u>5606 SAMUEL HUSTON</u>
<u>[Signature]</u>	<u>Daniel Bailey</u>	<u>5609 Samuel Houston</u>
<u>LILLIAN FOWLER</u>		<u>5605 SAMUEL HUSTON</u>
<u>[Signature]</u>	<u>1730 Hillcrest</u>	
<u>[Signature]</u>	<u>1728 Hillcrest</u>	
<u>[Signature]</u>	<u>Erwin Pichler</u>	<u>1728 Hillcrest Lane</u>
<u>[Signature]</u>	<u>Erwin Pichler</u>	<u>1727 Hillcrest</u>
<u>[Signature]</u>	<u>Gloria M. Moore</u>	<u>1722 Hillcrest Ln.</u>
<u>[Signature]</u>	<u>Brandy Jackson</u>	<u>1725 Hillcrest Ln</u>
<u>[Signature]</u>	<u>Cleot Scott</u>	<u>1718 Hillcrest Ln</u>
<u>[Signature]</u>	<u>Tatiana ORIA</u>	<u>1716 Hillcrest Ln</u>

Date: 2.25.15

Contact Name: Hephthar Mcford
Phone Number: 512.484.4411

CA
12

P E T I T I O N

Date: 2.25.15
File Number: CIV. 2015. 0019

Address of
Rezoning Request: 5306 Samuel Houston

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than Single family homes

Samuel Houston: the Surrounding Truman Heights Subdivision
(STATE REASONS FOR YOUR PROTEST)
cannot handle the traffic of a 21 unit condo complex.
(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
<u>Marc Haskins</u>	MARC HASKINS	1716 Hillcrest Ln
<u>Debra A. Haskins</u>	DEBRA A. HASKINS	1714 Hillcrest
<u>Matthew Sanders</u>	MATTHEW SANDERS	1715 Hillcrest Ln
<u>Clifton Weakly</u>	CLIFTON WEAKLY	1709 HILLCREST LN
<u>Erma Butler</u>	ERMA BUTLER	1707 Hillcrest Ln
<u>Diana McPhaul</u>	DIANA McPhaul	1703 Hillcrest Dr.
<u>Jonathan Duvon</u>	JONATHAN DUVON	5501 Duvon Dr.
<u>Hugo Zolotza</u>	HUGO ZOLOTA	1716 Bunche Rd.
<u>Ingeborg Cordova</u>	INGEBORG CORDOVA	1720 Bunche Rd
<u>Richard Berrena</u>	RICHARD BERRENA	1717 Bunche Dr
<u>Nicholas Story</u>	NICHOLAS STORY	1728 Bunche Rd.
<u>Heather Cox</u>	HEATHER COX	1725 Bunche Rd.
<u>Erin Janzen</u>	ERIN JANZEN	1725 Hillcrest

Date: 2.25.15

Contact Name: Heather McCloud
Phone Number: 512.434.4465

Chaffin, Heather

Subject: FW: Zoning Change at 5306 Samuel Huston Ave. Case number C14-2015-0019

Hi Heather,

Thank you so much for taking the time to speak to me yesterday. It was immensely helpful! As I mentioned over the phone, I am really concerned about this zoning change for a number of reasons. My hope is that you recommend that these changes not take place in my neighborhood. As I mentioned over the phone, the 21 condo unit will be constructed only one house away from mine, so I will be deeply impacted by these changes.

My primary concern is not just for myself but for the working class people that live in my neighborhood. I suspect that the introduction of these new condos would result in an increase in property taxes. This suspicion is based on the kind of new development that is taking place in my neighborhood. I have lived there for a little over a year now and already my taxes are increasing and many families are moving out. The houses that are being sold are selling way above the market price. Some are being demolished to create space for expensive homes that are out of the reach of the working class families in the neighborhood. Just the other day when I was outside of my house gardening I overheard three little girls talking about how one of their mom's was going to buy the house next to ours so she wouldn't have to walk up and down the hill of our very busy street. The only thing that I could think about was how sad it was that her mother cannot guarantee her daughter's safety as she walks in our neighborhood, even though she aspires to.

While I can afford the tax changes, the working class families that have lived there for many generations will not be able to. This means that eventually they too will get displaced like so many other working class families in Austin. I would hate for people who have established their roots in my neighborhood to be pushed out by outside entities. People that have lived there for generations are what make my community unique. Additionally, we will have a new generation of young people that will experience economic displacement within our own city limits. I hope that the city of Austin understands the impact that this can have on younger generation's health and economic outcomes as well as older generations that will be moved further away from access to services and healthy food options. Every day our elderly neighbor gets picked up by the city bus and she is taken to an adult care facility. What will happen to her if her family is forced to move out of the city due to an increase in taxes? What will happen to the children who are able to access transportation to attend the neighboring charter schools?

I am also really concerned about the increase in traffic in our neighborhood if 21 condos are introduced. Our road is home to two churches and a school. It is also an access point to 183. Cars drive very fast down our road already. I have been in almost two car accidents driving out/in to my own driveway and I am concerned that increasing the amount of people who live on my street would also lead to an increase in traffic. There are many children that walk up and down my street to access transportation and I worry about their safety.

My final concern has to do with drainage. Two duplexes were built in the neighboring lot to ours. Now, we are noticing that our backyard is collecting pools of water. This is a new phenomenon since those duplexes were built. Would this new construction lead to additional water drainage to my own backyard?

Thanks again for listening to my concerns and presenting them to other members in your division. I am happy to talk to them directly if you believe it would be helpful and to answer any additional questions you may have. Thank you for the role that you play to ensure housing equity in the city of Austin.

Sincerely,
Hilda Gutierrez

Homeowner
5302 Samuel Huston., Ave., Austin, TX 78721
Tel. 505-573-6326

Chaffin, Heather

Subject: FW: Case number C14-2015-0019

C9
14

Hi Heather,

My name is Lindsey and I previously called you regarding the case number above for the rezoning of 5306 Samuel Huston Ave. I own one of the properties adjacent to/in front of said property at 5404 Samuel Huston Ave.

I recently received a notice in the mail with a quick explanation of the proposed rezoning application and wanted to write an email to give my opinion, as I work out of the country and will most likely not be in town when the public hearing occurs.

The thing that mainly stands out to me in the SF-6-NP designation is that it states this type of district is "appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from a single-family to multifamily use is appropriate."

Id like to address these two items separately. As is apparent on the map that was sent out with this notice, I do see that the idea that there are "unusually large lots" in the area could be conceivable. However, these larger lots include a church, a school, etc..not "larger lots" that would be included as a potential for denser housing options in the near future. The area where this land is located is actually in our neighborhood...which includes NO "unusually large lot" sizes. This neighborhood consists of small lots with small houses. Seeing that the point of egress for this property would come out onto our street, between two of said small residential lots, I just can not imagine this being an ideal situation for any type of "traffic" that would be associated with a "townhouse and condominium residence for moderate density homes" of any sort. Our small street is already quite busy with traffic, including residential parking on either side, and the addition of this type of residence located BEHIND our houses with only one access point BETWEEN two houses is not something Id be willing to support. I understand Austin is growing and expanding, but do we need to start changing EVERY neighborhood into those of condominiums and densely populated living, or is it feasible to keep these quaint neighborhoods what they are, quaint neighborhoods? I purchased my house in this area for just that reason, the lack of condos and the predominance of single family homes.

On the second topic, as I have already previously touched upon, this area does not seem to be one where "a transition from single-family to multifamily use is appropriate." Again, this is a small neighborhood with small lots and small houses. It is certainly not in the midst of transitioning into something other than that, and this property would be the first to put such high density housing in the area. Again, Id like to stress the single point of access which comes out onto a residential street, between two residential homes. This single access point, to me, seems to show this property was not intended for any type of moderate to high density housing, and that it would not be ideal for such a plan.

I called and spoke with the applicant, Candice Craig, and she informed me that this lot, pending rezoning approval, is intended for a 23 (single family) unit condominium. This would, effectively, increase the number of houses on our street, between Webberville and Tannehill Lane, by an additional 55% going from 42 residences to 65. Adding the same number of residents to this small street (via a single access point) as the number that already reside on one side of the ENTIRE street is not acceptable for what is, on the actual street of Samuel Huston, a single residential property.

As I said before, I will most likely be out of town for the public hearing regarding the rezoning application for this area. I don't know if there is anything else I can do to have my opinion heard regarding my opposition to this rezoning, but I thought this was a good place to start. I will have email access while I am away, and would be greatly appreciative of any information regarding this process that you could send my way. Again, any support in keeping our neighborhood a quaint and single family home neighborhood would also be greatly appreciated.

Sincerely,
Lindsey Loughry

Chaffin, Heather

From: Loughry, Lindsey (Contractor) <Lindsey.Loughry.Contractor@nbp.usap.gov>
Sent: Saturday, May 16, 2015 3:56 PM
To: Chaffin, Heather
Subject: One more concern....

cg
15

Sorry to bother you again regarding the rezoning plans for 5306 Samuel Huston Ave., but after rereading a response from Ben Goudy, who has been in touch with me regarding the proposed project for that piece of land, he recently wrote this comment: "Finally, we are also exploring the possibility of having a stop sign installed at the corner of Samuel Huston and Bunche Road to make it a four way stop with the exit of our project." This sentence reminds me that they are planning on adding an additional 23 houses to a street that, from Webberville to the next stop sign, has only 44 or 46 houses already (i cant remember the exact number and am currently on a ship without internet access). This effectively adds 50% MORE HOUSES to our single street. So many houses, that a four way stop might be necessary? This, to me, signals the addition of a thoroughfare that will be placed between two single family homes in a residential area, presumably (with two cars per household), having 46 cars coming and going each day from this single address. Again, this is a residential neighborhood that prides itself on small homes with generous lots. I understand that property will not remain a field forever, but it was originally zoned as it is now for a reason, to keep dense housing options from being a possibility in our neighborhood. I have no reason to think that that should be changed at this time, and continue to be VERY concerned regarding the amount of traffic and people that will be added to an area that is already so busy with traffic.

Again, this new street that he proposes will be worthy of a four way stop sign will be running BETWEEN TWO PEOPLES HOMES. I do hope this is taken into consideration when the rezoning of this property is under question and that their request for rezoning is denied.

Thank you,
Lindsey Loughry
5404 Samuel Huston Ave.

Chaffin, Heather

ca
16

From: Terry Rogers [REDACTED]
Sent: Thursday, March 12, 2015 11:07 PM
To: Chaffin, Heather
Subject: Re the condos on Samuel Huston.

Not sure how the other neighbors think, but I think it is a great idea.
I'd like to think the condos will improve this neighborhood,
and help drive out the bad elements, like drug dealingt.
I live at 5307 Downs Dr, just over from that area.
sincerely. TJ Rogers

Chaffin, Heather

C9.
17

From: Chelsea Connelly [REDACTED]
Sent: Friday, March 13, 2015 7:50 AM
To: Chaffin, Heather
Subject: Case Number C14-2015-0019

I'm writing in regards to the potential condo unit going in at 5306 Samuel Huston Ave, in East Austin. I just moved into the neighborhood last June (Bunche Rd, off Samuel Huston.) and although I'm excited about new development in the area, this is not what I had in mind.

For one, people in the area (including myself) don't want to see our taxes go up. Especially for something that we don't even believe in.

Secondly, I was excited to move into an actual neighborhood and something about a 21 unit condo building doesn't scream neighborhood to me. When I hear 'condos' I don't think long term living either and when moving into our house I was excited to meet our neighbors that I know we'll be living around for years to come. It's very likely that these condo units could be bought and then rented out and that's not what a neighborhood is about to me.

Third, there are already times I have to wait in a line of cars at the end of Samuel Huston and I can't, nor do I want to, imagine the amount of cars 21 units of condos would produce. The neighborhood is too small for such high traffic. We want our quaint little east side neighborhoods to stay as quaint as they can, for as long as possible in the growing craziness of Austin. Absolutely nothing about a condo building says quaint.

I would be very disappointed to see this plan followed through.

-Chelsea Connelly

Chaffin, Heather

C9
T8

From: Andrea Petit [mailto:andrea.petit@cityofaustin.org]
Sent: Wednesday, March 25, 2015 5:19 PM
To: Chaffin, Heather
Subject: RE: Stone gate

OK thanks for that information. I am an officer of the Stonegate Neighborhood Association located at the corners f Webberville Rd. And Stonegate/Woodmoor . We are an active association who want to keep up with deveolments in our area. Don't know if we are within 500 feet but I guess if my neighborhood is please contact us. The president of our Association is Billy Owens.

Thanks, Andrea!

"Brethren, the grace of our Lord Jesus Christ be with your spirit. Amen." Galatians 6:18 KJV

On Mar 25, 2015 12:14 PM, "Chaffin, Heather" <Heather.Chaffin@austintexas.gov> wrote:

Okay, I didn't know what "Front Door" was—it sounds like it's a website that your neighborhood uses.

I am the zoning case manager for a proposed rezoning at 5306 Samuel Huston Avenue (Case # C14-2015-0019). The property does not connect to Webberville Road. The property owner is requesting a rezoning from SF-3-NP, a single family category that allows houses and duplexes, to SF-6-NP, which would also allow townhouses and condominiums. The property owner is proposing a townhouse / condominium development with approximately 20 units. It is not an apartment project and apartments would not be permitted, if the rezoning is approved. I haven't heard it called "Stonegate" before, so I think that might be a different project.

The case is still under review and has not yet been scheduled for Planning Commission or City Council. Notices will be sent to neighbors within 500 feet when those meetings are scheduled, and I don't need the petition until then.

Heather

From: Andrea Petit [mailto:andrea.petit@cityofaustin.org]
Sent: Wednesday, March 25, 2015 10:47 AM
To: Chaffin, Heather
Subject: RE: Stone gate

Your name was given on "Front Door" to contact about your petition (proposed apartments Webberville and Sam Houston area).

Thanks, Andrea!

"Brethren, the grace of our Lord Jesus Christ be with your spirit. Amen." Galatians 6:18 KJV

On Mar 25, 2015 9:30 AM, "Chaffin, Heather" <Heather.Chaffin@austintexas.gov> wrote:

Andrea,


C9
19

I do not recognize the project you are referring to—I don't have anything labeled "Stonegate Apartments" or similar.

Do you have an address, Zoning Case #, or approximate location?

Thanks,

Heather

From: Andrea Petit [mailto:
Sent: Tuesday, March 24, 2015 11:05 PM
To: Chaffin, Heather
Subject: Stone gate

Hello Heather,

I'm concerned about these proposed apartments in your immediate area and would like to sign petition. I can also get others to sign in our neighborhood association. Our next neighborhood MTG is April 7th @ Precinct 1. How soon will you need petition completed?

Thanks, Andrea!

"Brethren, the grace of our Lord Jesus Christ be with your spirit. Amen." Galatians 6:18 KJV

Chaffin, Heather

From: tatiana oria [redacted]
Sent: Monday, May 11, 2015 8:48 PM
To: Chaffin, Heather
Subject: Samuel Huston rezoning

CA
20

Heather

Samuel Huston is already so dangerous, as it is a main artery to 183. I have personally made more than one request for speed bumps, at minimum, to be evaluated and or implemented, to no avail. I believe rezoning makes this an even more dangerous situation to kids on foot and bike in our neighborhood and even drivers who cannot get out of the way fast enough of those zooming up and down the hill. Please reconsider this effort for the safety of those who live here.

Tatiana Oria
Hillcrest Lane

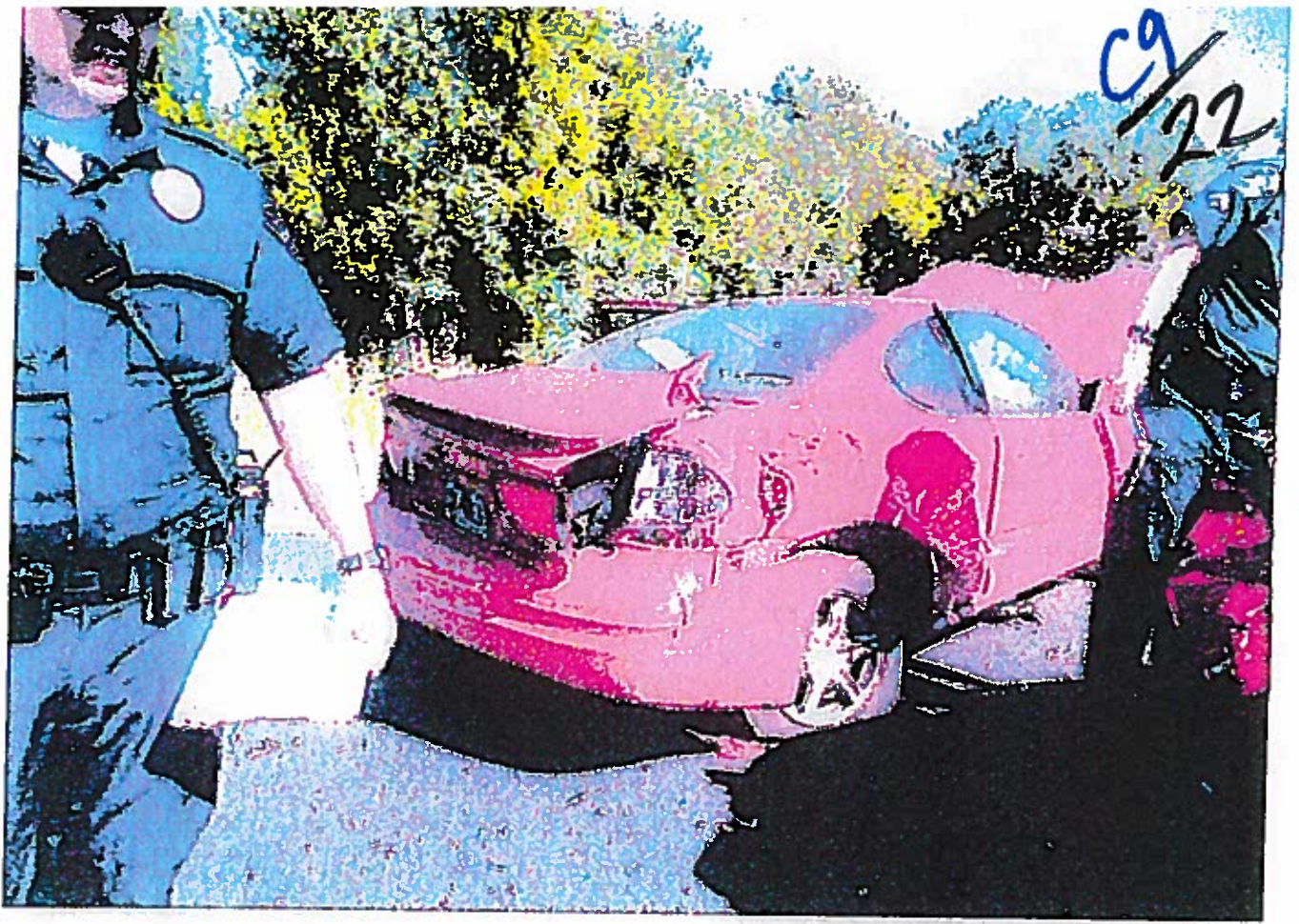
Chaffin, Heather

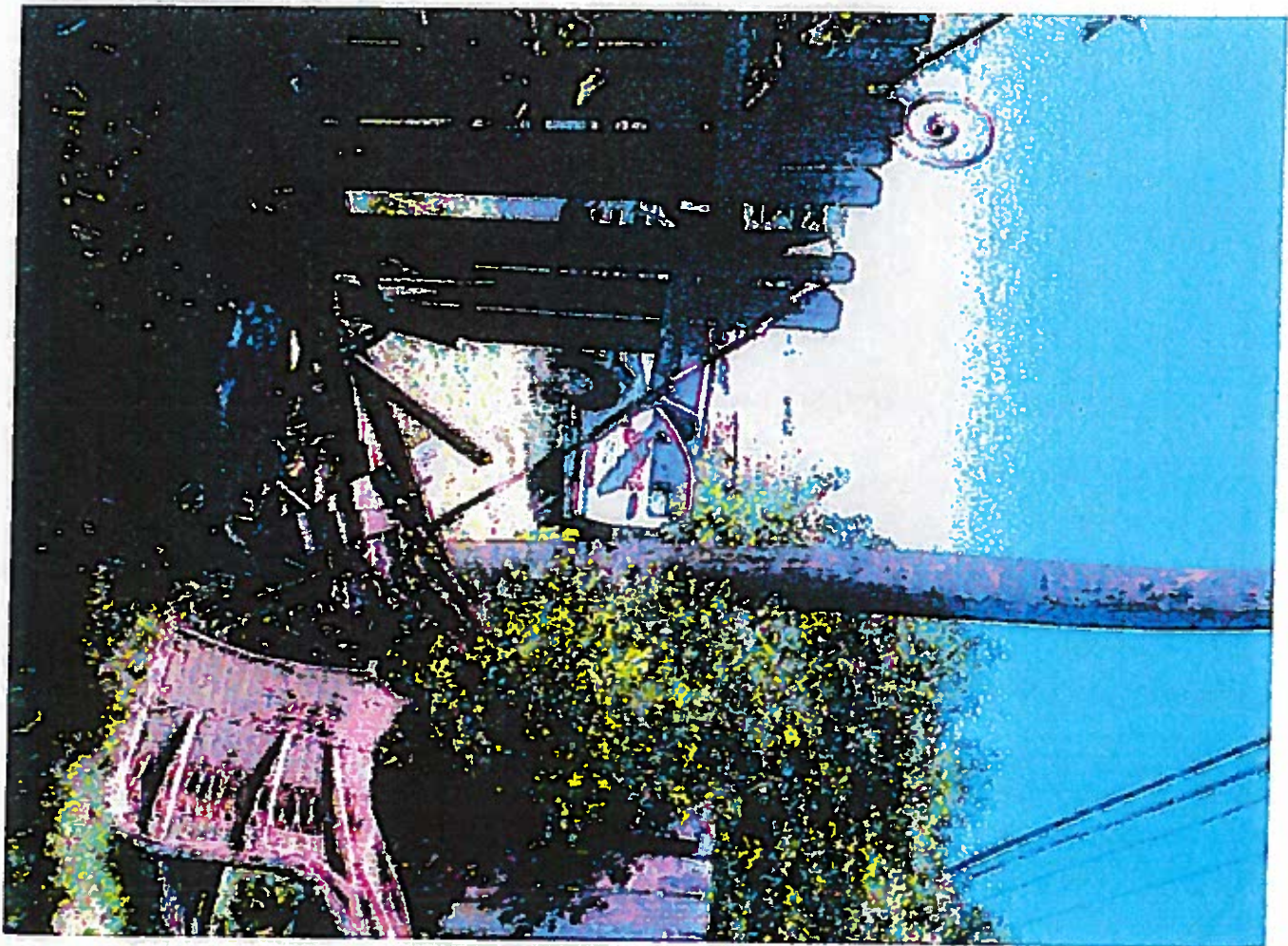
From: MARGARET WILLIAMSON
Sent: Monday, May 11, 2015 6:09 PM
To: Chaffin, Heather
Subject: Case Number C14-2015-0019
Attachments: 034.JPG; 035.JPG; 036.JPG; 038.JPG; 039.JPG; 028.JPG; 029.JPG; 040.JPG

C9
21

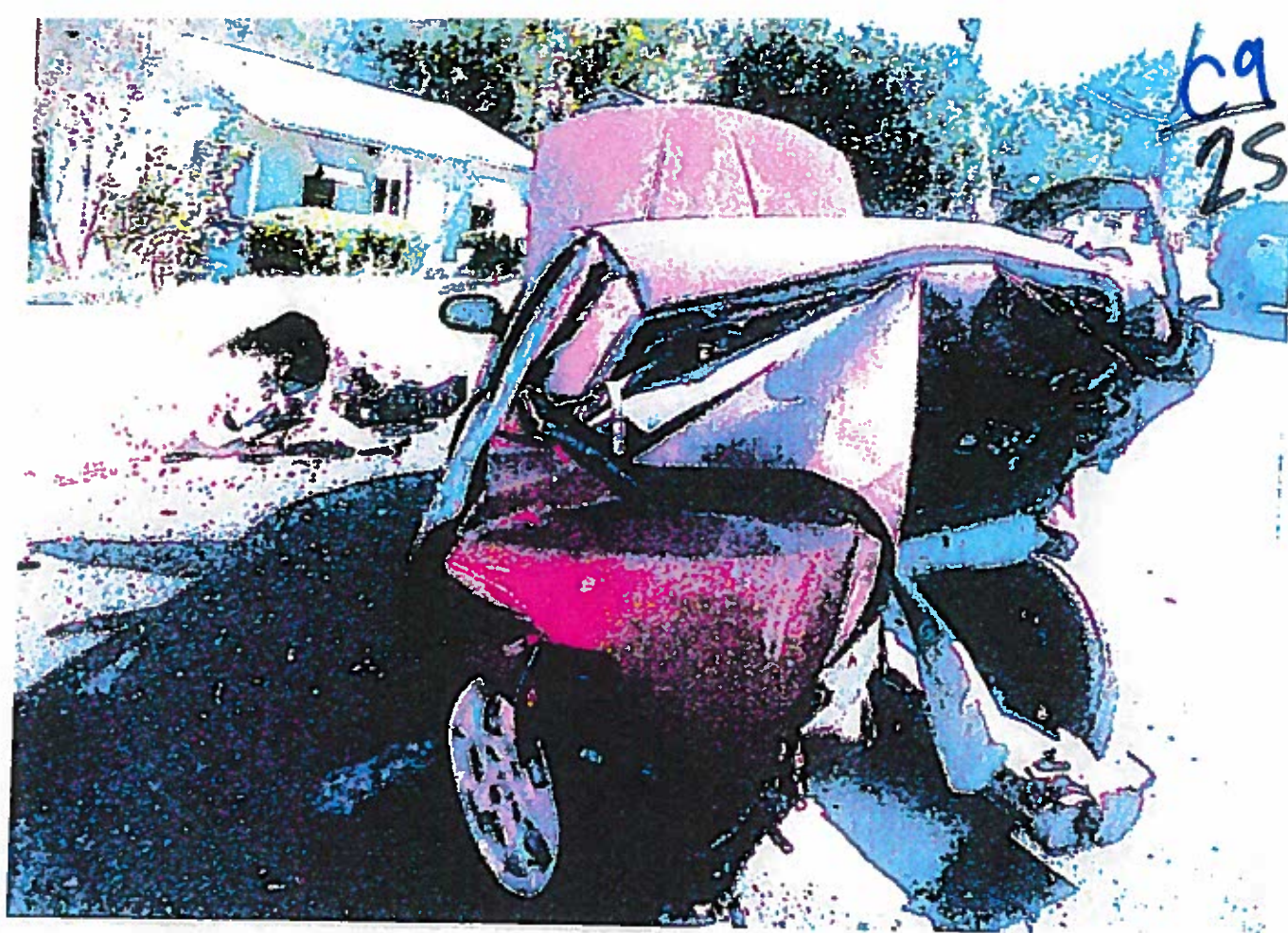
Thank you so very much for your quick response Heather. This is my letter of objection to the proposed development due for public hearing with the Planning Commission May, 12th, 2015. I have been a home-owner for near 10 years currently in the area and though I understand there are housing needs, I have been personally affected greatly within just the last few months by having my own vehicle totaled while parked and my privacy fence driven through due to excess speed and excessive traffic on the street. I am unsure if the passenger even survived the crash. Photos included. It has become increasingly dangerous and currently there are new developments underway at the corner of Samuel Huston Avenue and Webberville Road and this is not even with consideration of what the latest proposal will bring. It has become a death-trap to be frank and is not an exaggeration as the neighbors can attest and are collisions frequently though they may be unreported, children are discouraged from play and can no longer ride bikes or walk pets, I bury strays frequently. There is an elementary school on the street now, 183 being within a block of, and the only flashing school light very near the school and only at certain times of the day, traffic traveling at 50 mph is a regular occurrence including commercial traffic. Capital Metro did attempt also a route on the street but was not possible and discontinued thank goodness. The street is a particular nightmare during peak work/school travel time with traffic backed-up halfway down the street with very dangerous loading and unloading of children onto school buses. Parent's including myself, do not leave children unsupervised at bus stops. Parking is very limited and those that do live on the street if at all possible, keep their vehicle off...I am currently parking in the grass since my latest loss as are most but what has happened unfortunately, is that speed has increased due to being more room at certain times of the day and suddenly, traffic is backed-up with the half dozen school buses at the end of the street and no place to go if an accident should occur, it is a matter of time and we pray daily for the best. I have requested speed-bumps for years or at minimum, radar on the street and have been told to contact my representative. We are also talking of a petition. The folks that have lived here for many years are very aware of the on-going problem, which is not due those on the street mainly as we have developed the courtesy over the years of taking turns pulling over and giving right-of-way as there is not the room now for two lanes of travel, those new to the area or those using the street as a short-cut do not practice this courtesy nor the commercial traffic which increases daily and don't seem to recognize this as a residential neighborhood. Thank you very much for your consideration.

Sincerely, Margaret Ann Williamson 512-926-2220
5402 Samuel Huston Avenue
Austin, Texas 78721









Chaffin, Heather

26

From: [REDACTED]
Sent: Monday, May 18, 2015 2:42 PM
To: Chaffin, Heather
Subject: Samuel Huston Petition

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Chaffin,

As a member of the Rehoboth Baptist Church, which is located across the street from the proposed Rivendale Homes Development on Samuel Huston Ave., I am writing to express my support of the project.

Mr. Ben Goudy along with other members of the Rivendale Homes staff presented the project to our Board of Deacons for our opinion, and we wholeheartedly approved.

I do hope approval of the project will be given strong consideration.

Respectfully submitted,

James C. Harris

Chaffin, Heather

Subject:

FW: LATM process

ca
27

From: Bollich, Eric <Eric.Bollich@austintexas.gov>

Date: Wed, May 20, 2015 at 5:04 PM

Subject: RE: LATM process

To: Candace Craig

Cc: "Austin, Lee" <Lee.Austin@austintexas.gov>

Candace,

We completed the counts this week and measured the 85th-percentile speeds to be 30.9 mph eastbound and 30.0 mph westbound, respectively.

Because the speed limit on Samuel Houston is 30 mph, we do not consider the operating speed to be egregious and do not support traffic calming being placed between Webberville and Tannehill.

Eric

Eric Bollich, P.E., PTOE
Managing Engineer
Traffic Engineering Division
Austin Transportation Department
3701 Lake Austin Boulevard
Austin, TX 78703
(512) 974-7767
eric.bollich@austintexas.gov

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0019

Contact: Heather Chaffin, 512-974-2122

Public Hearing: May 12, 2015, Planning Commission
June 11, 2015, City Council

WILLIAM DAVIES

Your Name (please print)

5302 SAMUEL HUSTON AVE

Your address(es) affected by this application



Signature

5/4/15

Date

Daytime Telephone: 508 259 8203

Comments:

I have concerns about the traffic, which is already significant on the residential street. Secondly, this is a single family home neighborhood with no similar development. That aesthetic is part of the appeal. Rezoning might invite rapid and unwanted changes to the surrounding area.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin TX 78767-8810

To: City of Austin Planning Commission
Re: Rezoning of 5306 Samuel Huston (C14-2015-0019)
Date: May 25, 2015

C9
/29

Dear City of Austin Planning Commission,

The EMLK Combined Neighborhood Plan Contact Team is supportive of the zoning change from SF-3 to SF-6 based on the drawings presented on November 18, 2014 (see attached). We believe the property is landlocked creating a hardship for development. We respectfully request that the development of the site maintains as many of the existing trees on site.

That being said, we understand the neighborhood is not in favor of the development of this property. Given the timing of the projects review with the contact team and their noted opposition, we ask you to carefully review the project with all interested parties in mind.

Respectfully submitted,

Matthew D. Macioge

Matthew Macioge
East MLK Combined Neighborhood Contact Team Chair
215 932 1172
mmacioge@gmail.com

CC:

Heater Chaffin - heather.chaffin@austintexas.gov

Ben Goudy - ben@rivendalehomestexas.com

Candace Craig - candace@civilitude.com

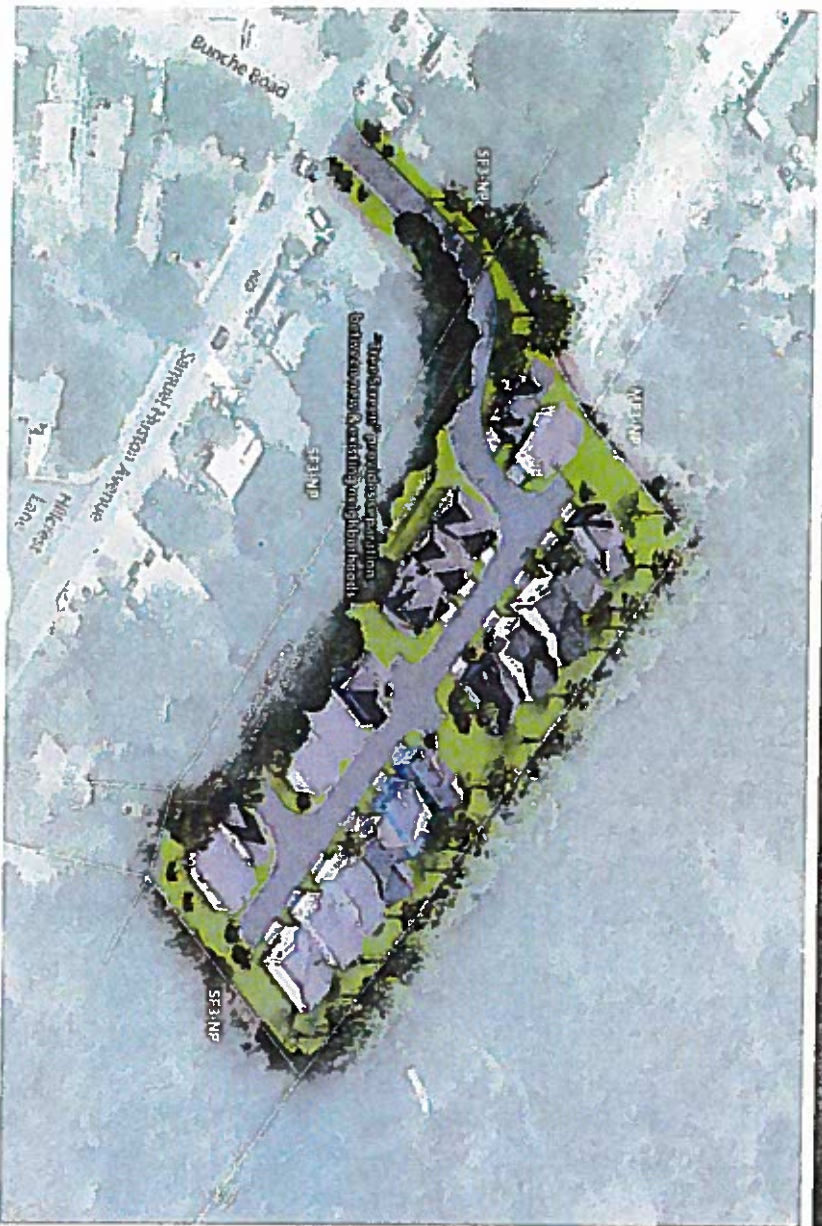
Heather McCord - commoncentsbooks@yahoo.com

ca 9/30

5306 Samuel Huston Avenue • Austin, Texas



Tree Screen



Proposed Home Size:
1500SF - 1800SF

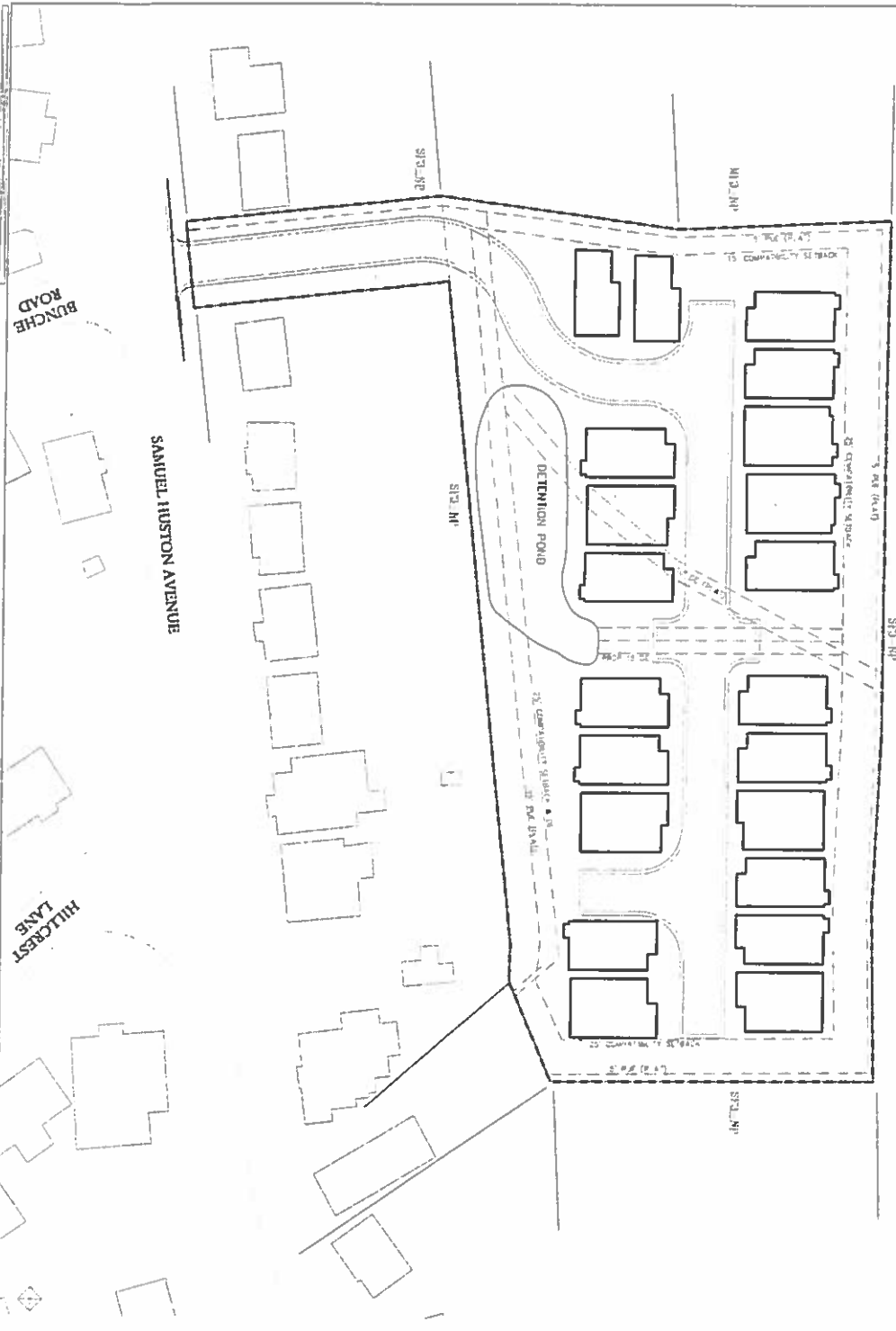
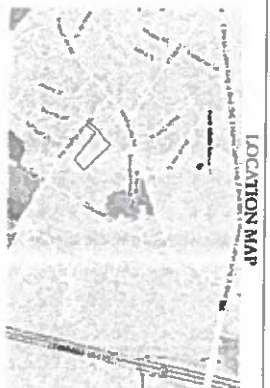


69/31

SITE AREA: 2.93 ACRES

PROPOSED LANDUSE: 21 DETACHED DWELLING UNITS

EXISTING ZONING: SF-3-NP
PROPOSED ZONING: SF-6-NP



CIVILITUDE
ENGINEERS & PLANNERS
1000 S. HARRIS AVE., SUITE 100
HOUSTON, TX 77059
713.462.1111
www.civilitude.com

AL-3
1000 S. HARRIS AVE., SUITE 100
CONCEPTUAL
SITE PLAN
DATE: 01/11/2011
SCALE: 1" = 20'



1701 Directors Blvd. Suite 400
Austin, Texas 78744
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
info@civildude.com
www.civildude.com

CG
32

November 26, 2014

Matt Macioge
East MLK Combined Contact Team

Re: 5306 Samuel Huston
Preliminary Environmental Report

5306 Samuel Huston is a proposed residential community consisting of 21 detached single-family dwellings on a 2.93-acre flag lot tied together in a condominium regime. The site is currently zoned SF-3-NP and the proposed zoning is SF-6-NP. Roadway access is on Samuel Huston Avenue.

The property is located in Fort Branch watershed, classified as an urban watershed according to Section 25-8 of the City of Austin Land Development Code (LDC). This site is not located in the Edwards Aquifer Recharge Zone and is located in the Desired Development Zone. There is no watershed impervious cover limit in an Urban Watershed. Instead, impervious cover will be limited by zoning. The current maximum impervious cover allowance is 45% for SF-3 base zoning, and the maximum impervious cover allowance for proposed SF-6 base zoning is 55%. There is no existing impervious cover on the property at this time.

From the street, the site slopes from south to north to an existing concrete headwall located within a 25' drainage easement 150' from the right-of-way along the south boundary of the "flag." From the rear of the property, the site slopes from north to south toward a headwall in the said 25' drainage easement. There are pockets of steep slopes greater than 15% located along the north boundary of the site and within the 25' drainage easement. No portion of the property is within the 100-year floodplain as shown on FEMA Panel No. 48453C0470H, dated September 26, 2008 for Travis County, Texas.

Standard landscaping and tree protection are required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment for this site. According to a tree and topographic survey dated August 8, 2014, there are protected trees (tree with a diameter of 19 inches or more) on the site and no heritage trees (tree that has a diameter of 24 inches or more and is one of the species specified in [§ 25-8-602](#)) on the property.

At this time, site specific information is unavailable regarding environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes and wetlands. At the time of site plan application, an environmental resource inventory or a waiver may be required for a site with gradients greater than 15 percent.

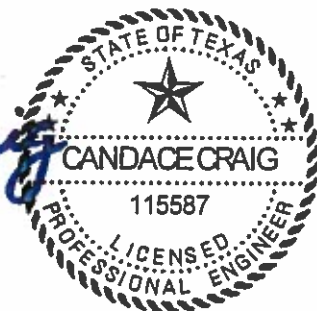
This site will be required to provide on-site water quality controls for development and redevelopment and on-site control for the 2-year storm event. This site will also be required to provide detention for the 2, 10, 25, and 100 year storm events.

If you have any questions, please do not hesitate to contact us and inquire at 512-761-6161.

Sincerely,

Candace Craig

Candace Craig, P.E.
Principal



60